

Stephanie Buckley

November 2, 2011

Page 1

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

LAWRENCE JAMES SACCATO,)	
)	
Plaintiff Pro Se,)	
)	Cause No.
vs.)	6:10-CV-06244-AA
)	
DAVIS LAW FIRM,)	
)	
Defendant,)	
)	
U.S. BANK NATIONAL ASSOCIATION N.D.,)	
)	
Co-Defendant.)	
)	
DOES 1 THROUGH 10.)	

DEPOSITION OF STEPHANIE BUCKLEY
Taken on behalf of the Plaintiff
November 2, 2011

Sheryl A. Pautler, MO-CCR 871, IL-CSR 084-004585

(The proceedings began at 2:31 p.m.)

Stephanie Buckley

November 2, 2011

Page 2			Page 4		
1	QUESTIONS BY:	PAGE NO.	1	UNITED STATES DISTRICT COURT	
2	Mr. Saccato	6	2	DISTRICT OF OREGON	
3			3	EUGENE DIVISION	
4	INDEX OF EXHIBITS		4	LAWRENCE JAMES SACCATO,)	
5	NO.	PAGE MKD.	5) Cause No.	
6	2	Procedures for credit bureau disputes. 12	6) 6:10-CV-06244-AA	
7	3	Equifax collection dispute form. 21	7) DAVIS LAW FIRM,)	
8	4	E-OSCAR report of disputes. 24	8) Defendant,)	
9	5	E-OSCAR report of disputes. 28	9) U.S. BANK NATIONAL ASSOCIATION N.D.,)	
10	6	Screen print from ICS. 37	10) Co-Defendant.)	
11	7	Computer generated report. 40	11) DOES 1 THROUGH 10.)	
12	8	Computer generated report. 45	12	DEPOSITION OF WITNESS, STEPHANIE BUCKLEY,	
13	9	Computer generated report. 45	13	produced, sworn, and examined on the 2nd day of November,	
14	10	Computer generated report. 45	14	2011, between the hours of two o'clock in the forenoon and	
15	11	Collection department screen. 54	15	five o'clock in the afternoon of that day, at 9321 Olive	
16	12	Computer generated report. 60	16	Boulevard, St. Louis, Missouri, before SHERYL A. PAUTLER, a	
17	15	Computer generated report. 63	17	Notary Public and Certified Court Reporter within and for	
18	21	Letter to Transunion. 65	18	the State of Missouri, in a certain cause now pending	
19	24	Letter to U.S. Bank. 68	19	before the United States District Court, District of	
20	28	Certified mail receipt. 70	20	Oregon, Eugene Division, wherein LAWRENCE JAMES SACCATO is	
21	29	Letter. 71	21	the Plaintiff, and DAVIS LAW FIRM, et al. are the	
22	30	November statement. 72	22	Defendants.	
23	31	Letter from Fair Resolutions. 78	23		
24	32	Affidavit. 79	24		
25			25		

Page 3			Page 5		
1	EXHIBITS		1	A P P E A R A N C E S	
2	NO.	PAGE MKD.	2	For the Plaintiff by telephone:	
3	33	Affidavit. 82	3	Mr. Lawrence James Saccato	
4	34	Transunion document. 84	4	Pro se	
5	35	Portion of a credit report. 85	5	6387 Old Highway 99 S	
6	37	October 24, 2009 report. 90	6	Roseburg, Oregon 97470	
7	38	Report. 91	7	541-784-2284	
8	41	Credit report pull document. 92	8	Lsaccato@gmail.com	
9	43	Credit report pull document. 93	9	For the Defendant by telephone:	
10	44	Computer generated report. 98	10	Mr. Christopher J. Kayser	
11	45	Responses. 99	11	Larkins Vacura, LLP	
12			12	621 SW Morrison Street, Suite 1420	
13			13	Portland, Oregon 97205	
14	(Whereupon the exhibits were retained by Ms. Buckley.)		14	503-222-4424	
15			15	Cjkayser@larkinsvacura.com	
16			16	The Court Reporter:	
17			17	Ms. Sheryl Pautler	
18			18	Also present:	
19			19	Ms. Christine Pyatt	
20			20		
21			21		
22			22		
23			23		
24			24		
25			25		

2 (Pages 2 to 5)

Beovich, Walter & Friend

Exhibit 1, Page 2 of 4

Stephanie Buckley

November 2, 2011

Page 74

Page 76

1 was \$33,763.74; is that correct?

2 **A. Yes, that is what that says.**

3 Q. Under it, it states payments and credit. What
4 was that amount?

5 **A. It reads there \$37,193.41.**

6 Q. And so then it shows -- can you explain -- I

7 know you're not an accountant, but you have, I'm positive,
8 basic understanding of fundamental math. Can you explain
9 how it went from 33,763.74 with payment and credit of
10 37,194.41, then coming up with the balance where it says
11 new balance?

12 **A. Yeah. I would have written down notes and**
13 **added all of these up prior if I knew we were going to go**
14 **into that detail. So this may take a few minutes. But**
15 **this statement is a statement that reflects the charge off**
16 **of the account. So if you look down within the**
17 **transactions where it shows the payments and the credits,**
18 **what it's showing you is that the account is moving from**
19 **our outstanding into our losses because no payment has been**
20 **received.**

21 Q. Okay. And going into your losses, that would
22 be like the charge off we were speaking of earlier?

23 **A. Correct.**

24 Q. So which amount -- what would be the amount
25 that was charged off on this account?

1 **transferring the dollars from the outstandings to our loss**
2 **general ledgers.**

3 Q. Okay. And if this account -- if this account

4 were to be sold, what would be the amount that it would be
5 sold to one of -- within a bundle or however you sell them
6 to other debt collectors? How would it be transferred out
7 to them after you wrote it off?

8 **A. I'm not fully understanding your question.**

9 Q. After U.S. Bank charges it off. Okay?

10 **A. Uh-huh.**

11 Q. Then you sell it. You put it on the market to
12 sell it. When it's sold, what amount would it be sold for?
13 Would it be the 32,681.21 or the 38,275.94?

14 **A. The account would have been sold for the**
15 **charge-off balance.**

16 Q. That would be the 32,681.21?

17 **A. 38,275.94.**

18 Q. Okay. Where does it show the charge-off
19 balance at? Right here, it says the charge off was
20 32,681.21?

21 **A. That's a principal amount that doesn't include**
22 **fees and interest.**

23 Q. Okay. Then -- Okay. All right. Even though
24 it shows the total new balance is 32,681.21, correct, in
25 the lower right-hand corner on the statement?

Page 75

Page 77

1 **A. Just a moment, please.**

2 Q. Are we thinking about it or should I re-ask
3 the question?

4 **A. I'm going through and doing the math.**

5 Q. That's okay, Stephanie. I just didn't know if
6 the ball was back in my court. Go ahead and finish your
7 task.

8 **A. I just want to make sure I'm adding it up**
9 **correctly. Hold on just a second. The amount that was**
10 **charged off on this \$38,275.94.**

11 Q. And how did you determine that value, may I
12 ask, Stephanie?

13 **A. Sure. I added the \$146 of late payment fees.**

14 Q. Yes.

15 **A. I added the other fees for \$113.**

16 Q. Correct.

17 **A. I added the interest and I added the charge**
18 **off.**

19 Q. Now, can you explain to me why was -- I'm
20 sorry -- why were those credits credited back as a credit
21 adjustment prior to the charge off?

22 **A. They weren't. They were done on the date of**
23 **the charge off. And it's just -- this is an accounting**
24 **statement that does not go out to customers because it**
25 **would be confusing to them. And all it's doing is**

1 **A. Again, this statement is not mailed to**
2 **customers. It's an accounting statement.**

3 Q. But it was created, right, by U.S. Bank?

4 **A. Absolutely.**

5 Q. And what amount at this point and period of
6 time, what amount is being reported to the credit reporting
7 agencies? Is it the 32,681 or is it the 38,275 and change?
8 I'm sorry.

9 **A. At this exact moment, I don't know. I don't**
10 **believe anything is being reported on this specific account**
11 **right now.**

12 Q. No. I'm talking about when this was generated
13 in 11/09.

14 **A. I don't know.**

15 Q. You get a report on a monthly basis; is that
16 correct?

17 **A. Correct.**

18 Q. And you didn't charge off until the end of
19 November of '09, correct?

20 **A. Correct.**

21 Q. So up until that point, you were still
22 reporting on a regular basis to the credit reporting
23 agencies, correct?

24 **A. Correct.**

25 Q. So which amount would be reported to the

20 (Pages 74 to 77)

Stephanie Buckley

November 2, 2011

Page 110	Page 112
<p>1 CERTIFICATE OF REPORTER</p> <p>2 I, Sheryl A. Pautler, Certified Shorthand</p> <p>3 Reporter, Notary Public within and for the State of</p> <p>4 Missouri, do hereby certify that the witness whose</p> <p>5 testimony appears in the foregoing deposition was duly</p> <p>6 sworn by me; the testimony of said witness was taken by me</p> <p>7 to the best of my ability and thereafter reduced to</p> <p>8 typewriting under my direction; that I am neither counsel</p> <p>9 for, related to, nor employed by any of the parties to the</p> <p>10 action in which this deposition was taken, and further that</p> <p>11 I am not a relative or employee of any attorney or counsel</p> <p>12 employed by the parties thereto, nor financially or</p> <p>13 otherwise interested in the outcome of the action.</p> <p>14</p> <p>15 _____</p> <p>16 Notary Public within and for</p> <p>17 the State of Missouri</p> <p>18 My commission expires April 10, 2013.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 Errata Sheet</p> <p>2 Witness: Stephanie Buckley</p> <p>3 In Re: Lawrence James Saccato vs. Davis Law Firm, et al.</p> <p>4 Upon reading the deposition and before subscribing thereto,</p> <p>5 the deponent indicated the following changes should be</p> <p>6 made:</p> <p>7 Page Line Should read:</p> <p>8 Reason assigned for change :</p> <p>9</p> <p>10 Page Line Should read:</p> <p>11 Reason assigned for change :</p> <p>12 Page Line Should read:</p> <p>13 Reason assigned for change :</p> <p>14</p> <p>15 Page Line Should read:</p> <p>16 Reason assigned for change :</p> <p>17 Page Line Should read:</p> <p>18 Reason assigned for change :</p> <p>19</p> <p>20 Page Line Should read:</p> <p>21 Reason assigned for change :</p> <p>22 Page Line Should read:</p> <p>23 Reason assigned for change :</p> <p>24</p> <p>25 Witness Signature: _____</p> <p>Reporter: Sheryl A. Pautler</p>
<p>Page 111</p> <p>1 November 7, 2011</p> <p>2 Mr. Christopher J. Kayser</p> <p>3 Larkins Vacura, LLP</p> <p>4 621 SW Morrison, Suite 1420</p> <p>5 Portland, Oregon 97205</p> <p>6 In Re: Lawrence James Saccato vs. Davis Law Firm, et al.</p> <p>7</p> <p>8 Dear Mr. Kayser:</p> <p>9 Please find enclosed your copy of the deposition of</p> <p>10 Stephanie Buckley, taken on November 2, 2011 in the</p> <p>11 above-referenced case. Also enclosed is the original</p> <p>12 signature page and errata sheets.</p> <p>13 Please have the witness read your copy of the</p> <p>14 transcript, indicate any changes and/or corrections</p> <p>15 desired on the errata sheets, and sign the signature</p> <p>16 page before a notary public.</p> <p>17</p> <p>18 Please return the errata sheets and notarized signature</p> <p>19 page to Mr. Lawrence James Saccato for filing prior to</p> <p>20 trial date.</p> <p>21</p> <p>22 Thank you for your attention to this matter.</p> <p>23</p> <p>24 Sincerely,</p> <p>25</p> <p>Sheryl Pautler</p> <p>CC: Mr. Lawrence James Saccato</p>	<p>Page 113</p> <p>1 I, STEPHANIE BUCKLEY, do hereby certify:</p> <p>2 That I have read the foregoing deposition;</p> <p>3 That I have made such changes in form and/or</p> <p>4 substance to the within deposition as might be necessary to</p> <p>5 render the same true and correct;</p> <p>6 That having made such changes thereon, I</p> <p>7 hereby subscribe my name to the deposition.</p> <p>8 I declare under penalty of perjury that the</p> <p>9 foregoing is true and correct.</p> <p>10</p> <p>11 Executed the _____ day of _____,</p> <p>12 20__, at _____.</p> <p>13</p> <p>14 _____.</p> <p>15 STEPHANIE BUCKLEY</p> <p>16</p> <p>17 My Commission Expires: _____</p> <p>18 Notary Public: _____</p> <p>19 SP/Stephanie Buckley</p> <p>20 Lawrence James Saccato vs. Davis Law Firm, et al.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

29 (Pages 110 to 113)

Beovich, Walter & Friend

Exhibit 1, Page 4 of 4